

REMARKS

The Examiner is thanked for the comments in the Office Action (OA). They have helped considerably in understanding the rationale therein and in drafting this Response thereto.

5

Rejections under 35 U.S.C. § 103(a)

Claims 1-13 were variously rejected for obviousness. These rejections are traversed for
10 at least the reasons following.

Claims 1-8 and 11 are rejected under 35 U.S.C. § 103 as being unpatentable over Boers (US Patent No. 5,302,960) in view of Engellenner (US Patent No. 6,057,756). It is contended that Boers discloses a method comprising the steps of:

15 generating a radio frequency signal; feeding said radio frequency signal to a conductor; said conductor being within a structure; crating a quasi-static non-propagating electromagnetic field within said structure; and using said electromagnetic field to convey said radio frequency signal to a electronic device generally located within said structure.

20

It is further contended that although Boers “didn’t disclose wherein the electronic device is a receiver... Engellenner discloses wherein the electronic device is a receiver” and that thus “it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boers and Engellenner” and that “ combining the teachings would
25 provide a way to communicate to a receiver efficiently reducing the amount of wires and any outside interference.”

Nowhere does Boers teach or suggest Applicant’s invention. Boers fails to teach or suggest the step of creating a quasi-static non-propagating electromagnetic field within the
30 structure. Quite oppositely, Boers describes a propagating system. Boers teaches that an RF signal is radiated from antennas, the signals being propagated into the volume of a structure in a transverse electromagnetic manner. Further, Boers specifically states that it is for use in the far-field region of an interfering source (Column 6, lines 37-44). “Far-field” is synonymous with a

propagating system. As recited in the claim language and specification, the electromagnetic field of Applicant's invention is non-propagating. "The electromagnetic field established by the exciter is not a propagating wave in the normal sense. [It] is not characterized by scatter, and is not generally affected by non-metallic walls or personnel." (Page 7, lines 1-3). Accordingly, the rejection of claim 1 for obviousness should be withdrawn.

Furthermore, the Examiner asserts that Engellenner discloses a receiver. However, Engellenner fails to teach using a non-propagating electromagnetic field to convey a radio frequency signal or other electromagnetic waveform signal to a receiver generally located within a structure. Nor does it render such a feature obvious. The receiver in Engellenner does not teach or suggest any element recited in claim 1 of Applicant's invention and cannot properly be said to do so simply because it discloses utilizing an electronic device as a receiver in general. It is far from obvious to consider employing an electronic device as a receiver and to then extrapolate from that system utilizing an electromagnetic field to convey a signal to a receiver. Resultantly, the rejection of claim 1 for obviousness should be withdrawn.

In addition, Engellenner discloses a system for communicating inventory tags for retail and warehouse applications. Applicant's invention discloses an electromagnetic field communications system for wireless networks. The location and retrieval system disclosed in Engellenner is inapposite to the wireless communication system for allowing wireless interfacing to the outside world disclosed by Applicant's invention. Accordingly, Engellenner cannot possibly suggest "using [an] electromagnetic field to convey [a] radio frequency signal to a receiver generally located within [a] structure" merely because it teaches an electronic device that is a receiver generally. Thus, the rejection of claim 1 for obviousness should be withdrawn.

Finally, Boers teaches a transmitting system for testing devices for electromagnetic interference, while Engellenner teaches a system for locating objects to facilitate retrieval, filing, security, etc. There is no motivation to combine these references. No possible suggestion to combine the references exists in either reference itself. Consequently, the rejection of claim 1 for obviousness should be withdrawn.

In view of the foregoing, Applicant respectfully submits that claim 1 is in condition for allowance. Claims 2-13 depend from claim 1 and are in condition for allowance by virtue of their dependence therefrom. Accordingly, a notice of allowance is respectfully requested.

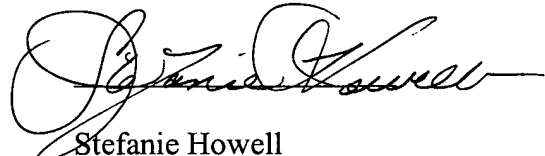
5 This Response is being filed within the shortened statutory period set by the Examiner for response and, accordingly, it is not accompanied by a fee. Should the Examiner determine that a further extension of time or fee is necessary in connection with the filing of this document, the Assistant Commissioner is hereby authorized to charge any such fees, or to credit any overpayment, to Deposit Account No. 02-3964 (Order 60607.300101)

10 If the Examiner believes that a conference would facilitate prosecution of this application, the Examiner is invited to telephone Applicant's representative, undersigned, at the number set out below.

15
20 Oppenheimer Wolff & Donnelly LLP
1400 Page Mill Road
Palo Alto, CA 94304

Telephone: 650.320.4357
Facsimile: 650.320.4200
25

Respectfully Submitted,


Stefanie Howell
Registration No. 45,929